



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams,
Agency Secretary

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Arnold Schwarzenegger
Governor

Draft Meeting Minutes

Los Angeles Regional Water Quality Control Board
March 5, 2009 Regular Board Meeting
Metropolitan Water District of Southern California
700 North Alameda Street
Los Angeles, California

The meeting was called to order by Chair Fran Diamond at 9:06 a.m.

Pledge of Allegiance.

Item 1. Roll Call

Board Members Present: Chair Mary Ann Lutz, Vice Chair Madelyn Glickfeld, Steve Blois, Fran Diamond, Maribel Marin, Maria Mehranian, and Dick Richardson

Board Members Absent: None.

Staff Present: Tracy Egoscue, Deborah Smith, Ronji Harris, Jack Price, Michael Levy, Stephen Cain, Samuel Unger, Paula Rasmussen, David Hung, Cassandra Owens, Michael Lyons, Rosario Aston, Rebecca Christmann, Don Tsai, Arthur Heath, Cathy Chang

Individuals whose Names Appear on the Sign-In Sheet

Mr. Rick Thams, EEC Services	Mr. Tom Davis, Justice & Associates
Mr. Ken Banker, United Rock products	Mr. Milind Desai, CH2m Hill
Mr. Alex Farassata, City of Calabasas	Mr. Matt Arms, Port of Long Beach
Ms. Janet Bell Metropolitan Water District So Cal	Ms. Erika deHollan, L.A. County Sanitation Dist.
Mr. Craig George, City of Malibu	Ms. Shelly Aughera, Weston Solutions
Kirsten James, Heal the Bay	Ms. W. Susie Santilena, Heal the Bay
Mr. Terry Dipple, Las Virgenes-Malibu COG	Mr. Talal Barata, LA. Unified School District
Mr. Edward Beldan, LASGRWL	Ms. Mary Lynn Coffee, Nossaman

Item 2. Order of Agenda.

- *Item 9 and Item 16 are being continued to a future meeting.*

MOTION: To approve the Order of Agenda.

First: Board member Maribel Marin
Second: Board Member Fran Diamond

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Vote: Approved by unanimous vote.

Item 3. Approval of draft meeting Minutes for February 5, 2009 meeting with minor edits.

MOTION: To approve the draft meeting Minutes for February 5, 2009 Board meeting.

First: Board Member Dick Richardson

Second: Board Member Maribel Marin

Vote: Approved by unanimous vote.

Item 4. Board Member Communications.

There was no communication reported that constitutes disclosure for this item.

Item 5. Executive Officers Report

Report given by Ms. Tracy Egoscue, Executive Officer, and posted on the Board's website:

www.swrcb.ca.gov/~rwqcb4/html/eo_reports/eo_reports.html

Item 5.b Board Checklist.

There was no discussion or questions regarding the Board Checklist.

Item 5.c Report from State Board.

State Board Liaison and Board member Francis Spivy-Weber discussed the Training Academy and of its forthcoming programs for staff.

She also announced that State Board has a new Chair, Mr. Charlie Hoppin, and that she is the new Vice Chair.

Item 6. Public Forum.

- *Mr. Alex Farassati, City of Calabasas(Discussed the L.A. Stormwater Policy and the innovative Stormwater Program)*
- *Mr. Craig George, City of Malibu (talked about the Point of sale Program, a component of the Operating Permit Program in relation to Assembly bill 885 (AB885).*
- *Mr. Robert Eranio, Crestview Mutual Water*

Item 7. Information Update on the State Board Recycled Water Policy.

Staff Report. Mr. Jonathan Bishop (*Mr. Bishop made but was not limited to the following points in his presentation*):

- *Gave background, and the beginning stages of the development process*
- *He went into detail about the process and discussed how it affects the Regions*
- *Mr. Bishop encouraged recycled water use, and expressed the environmental benefits of its use*



- *Mr. Bishop talked about the Salt & Nutrient Management Plan Policy and how it related to the Recycled Water Policy*

Board concerns, questions and discussion.

- Getting water recycled is now a responsibility. Any guidance given to us will be very useful.
- Who will do the Basin Plan Regional Monitoring for salts?

Mr. Bishop responded, indicating that a joint plan is underway, but does not specify any individual.

Uncontested Items Calendar.

MOTION: To deem non-controversial and approve Agenda Item(s): 10, 11, 12, 13, 14, 15, and change sheet for Item 10.

First: Board Member Fran Diamond
Second: Board Member Dick Richardson
Vote: Approved by unanimous vote.

Item 8. Green solution Projects Study.

Presentation by Ms. Esther Feldman,

- *Talked about the different phases of determining the priorities*
- *Discussed the next steps of the process*
- *Talked about land conservation*
- *Discussed the community needs*
- *She indicated that this work will be replicated in the San Francisco area*
- *Potential for Statewide change*

Board questions, comments, concerns, and discussion:

- While creating green space, have you calculated how much water will be needed to maintain the space?
- There usually isn't enough rainfall, so therefore there will be the need for new water.

Ms. Feldman's response: The water will be diverted and reused instead of having to use new water. There is the need to look at how to balance the fact that there usually is not enough rainfall. We are currently looking into solutions.

- *The County of Los Angeles is looking for ways to deal with this type of thing. What kinds of low impact developments do you foresee?*

Ms. Feldman responded, unduicatuig that the work has emerged frfrom work of CCI. The county is continuing to work on some type of ballot measure for next year.

- *Have you identified the projects that are ready?*

Ms. Feldman's response, Its on hold right now, there has not been funding for the analysis. This Board's leadership is very important to this work being completed.

Item 17 & 18. Consideration of Termination and Rescission for Telair International, Inc.

Staff Report. Ms. Cassandra Owens, Unit Chief Permitting Section (*Ms. Owens made, but was not limited to the following points in her presentation.*)

Presentation by Telair Representatives:

- *History background for the site*
- *This Order will rescind and terminate the previous Order*
- *A complaint was received by the Regional Board that the storm drain was blocked, and staff did inspections on June 26, 2008, July 22, 2008, February 9, 2009, and March 3, 2009*

- Ms. Mary Lynn Coffee, Nossaman, Representing Telair, Inc.
- Ms. Sally Billodeau, Representing Telair, Inc.

- *Telair representatives requested that the Regional Board suspend, but not terminate the Telair NPDES permit, so that a modification can be implemented within 30 to 60 days, so that an alternate discharge point can proceed.*

- *Permit is required by USEPA and DTSC to pump and treat ground water resulting in the need to discharge 1 to 2.5 million gallons per month*

- *On Feb 18, 2009 Telair Representatives met with Caltrans in the field to consider discharge alternatives to reduce or eliminate the need for operating procedure.*

- *Telair submitted the Nossaman letter objecting to the termination to the permit*

Public Comment.

- Mr. Sean Meridian, Representing Borchard Properties
- Mr. Nasser Merridian, Borchard Property Owner (adjacent property)

Board Questions, discussion, and concerns:

- Asked for clarification as to why we cannot allow a suspension and not a termination?
- The waters are not reaching the waters of the State, and therefore the permit is inappropriate
- The termination of the permit is questionable
- Asked what responsibility does Caltrans have?
- Concerns about Telair continuing to spill water over into adjacent property

Executive Officer Tracy Egoscue indicated that we cannot write a permit for an illegal discharge and that the permit was supported based on misrepresentation, and that our system relies on the dischargers providing accurate information.

She clarified that the permit is recommended for termination because the discharge is not reaching the receiving waters.

Senior Counsel Michael Levy indicated that we cannot consider alternatives until we receive a Report from Telair basing the rescission/termination on the fact that there is no place for the water to go, or that the discharge to indicates where the water is supposed to go. He is not aware if there has ever been a suspension of a permit.

There was much discussion amongst the Board Members, staff and legal counsel. After the discussion there was a motion.

MOTION: To adopt the rescission and termination as recommended by staff, with proposed changes by the Board.

First: Vice Chair Madelyn Glickfeld

Second: Board Member Fran Diamond

Vote: Approved by unanimous vote

The meeting was adjourned at 3:20 pm. The Draft Minutes will be adopted at the April 2, 2009 Board meeting.

Written and submitted by: _____, then finalized on
Ronji R. Harris

